

J. ASHLEE ALBIES, OSB #051846  
E-mail: [ashlee@civilrightspdx.com](mailto:ashlee@civilrightspdx.com)  
CREIGHTON & ROSE, PC  
500 Yamhill Plaza Building  
815 S.W. Second Avenue  
Portland, Oregon 97204  
Phone: (503) 221-1792  
Fax: (503) 223-1516

SHAUNA CURPHEY, OSB # 063063  
E-mail: [scurphey@curphey.com](mailto:scurphey@curphey.com)  
Curphey & Badger, P.A.  
520 SW 6th Avenue, Suite 1040  
Portland, OR 97204  
Phone: (503) 241-2848  
*Of Attorneys for Intervener-Plaintiff AMA Coalition for Justice and Police Reform*

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

UNITED STATES OF AMERICA

Case No. 3:12-cv-02265-SI

Plaintiff,

v.

CITY OF PORTLAND

Defendant.

DECLARATION OF DOCTOR LEROY  
HAYNES, JR. IN SUPPORT OF THE  
AMA COALITIONS'S MOTION TO  
INTERVENE

---

I, Doctor LeRoy Haynes, Jr., do declare and state

1. I am Senior Pastor of the Allen Temple AME Church in Northeast Portland, and I Chair the AMA Coalition for Justice and Police Reform.
2. The AMA Coalition is an umbrella group of individuals and community organizations at the forefront of community organizing for police accountability and oversight in

Portland. It was founded in 2003 after Kendra James, a young African American woman, was shot during a traffic stop. The AMA Coalition broadened its reach after the PPB shooting of Aaron Campbell in January 2010.

3. In addition to faith-based organizations, other community organizations dedicated to bringing justice to the citizens of Portland and reforming the Portland Police Bureau (“PPB”) now participate in the Coalition, including Portland Copwatch, Disability Rights Oregon, Mental Health Association of Portland, the Portland Chapter of the National Lawyers Guild, and Oregon Action.
4. The Albina Ministerial Alliance (“AMA”), a group of 125 Portland-area churches, including many predominantly African-American congregations, has engaged in social justice work since the 1970s, and served as a founding member of the Coalition. The AMA’s roots run deep in our ministers’ civil rights era work.
5. In 2010, the AMA Coalition participants coalesced around the following goals:
  1. A federal investigation by the Justice Department to include criminal and civil rights violations, as well as a federal audit of patterns and practices of the Portland Police Bureau (PPB);
  2. Strengthening the Independent Police Review Division and the Citizen Review Committee with the goal of adding power to compel testimony;
  3. A full review of the Bureau's excessive force and deadly force policies and training with diverse citizen participation for the purpose of making recommendations to change policies and training;
  4. Lobbying the Oregon State Legislature to narrow the language of the State statute for deadly force used by police officers;
  5. Establishing a special prosecutor for police excessive force and deadly force cases.

The AMA Coalition pursues these goals with an emphasis on teamwork among its diverse members and on the principles of non-violent direct action enunciated by Dr. Martin Luther King, Jr.

6. Since its inception, the AMA coalition has been at the forefront of public advocacy regarding police accountability in Portland, regularly meeting with City leaders, offering comprehensive analysis and critique of PPB policies and practices, and testifying at public hearings regarding police accountability and oversight. For example, several of our members served on the 2010 Police Oversight Stakeholder Committee (“Committee”) -- a group effort tasked by the Portland City Council to review the structure of police oversight in Portland. The Committee, after months of study and deliberation, issued a comprehensive report in September 2010, which offered 43 recommendations; a true and correct copy is attached hereto as Ex. 1 (City of Portland, Oregon, Police Oversight Stakeholder Committee Final Report, September 21, 2010). Despite the Committee's overwhelming success in reaching consensus on most of its recommendations, only a few, some relatively minor, were enacted by the Council.
7. The AMA Coalition's police reform work has also addressed issues of race. For example, several of our members served on the City's Task Force on Racial Profiling. In addition, the AMA Coalition conducted an analysis of the PPB's release of 2010 pedestrian stop data, which revealed that the percentage of African Americans and Latinos who are searched after being stopped continues to be over twice as high as the percentage of whites who are searched. A true and correct copy of the AMA Coalition's Press release dated June 19, 2012 and attached chart are attached hereto as Ex.2. The data revealed

that in 2010, 14.5% of African Americans stopped were searched, 11.4% of Latinos stopped were searched, while only 6.5% of Whites stopped were searched.

8. The AMA Coalition intensified its efforts in the wake of several high profile police shootings and in-custody deaths of minority community members and individuals suffering from mental illness – including Jose Mejia Poot, Kendra James, James Jahar Perez, James Chasse, Jr., Aaron Campbell, Jack Dale Collins, and Keaton Otis -- as well as the many independent audits and reviews of PPB's systems and policies. As a result of this work, in October of 2010, the AMA Coalition submitted to the City a list of 49 Community Demands, including specific recommendations on the following areas: (1) Use of Force Policy, De-escalation Training, Discipline; (2) Creating a Plan, Chain of Command, Communication; (3) Medical Aid; (4) Investigation, Inquest and Grand Jury; (5) Racial and Other Profiling; (6) Oversight: Police Review Board; (7) Drug Testing; (8) Transparency; (9) Hiring; (10) Other Training and Equipment Needs. A true and correct copy of those Community Demands, updated October 2010, are attached hereto as Ex. 3.
9. Despite the AMA Coalition's continual advocacy and engagement, however, the City failed to implement many of the recommendations, nor did it address why the proposed recommendations could not be implemented.
10. On May 5, 2010, the Coalition issued a letter to the DOJ requesting an investigation into the PPB's use of excessive force against people of color and people suffering from mental illness. A true and correct copy of that letter is attached hereto as Ex. 4.
11. At the June 2011 press conference announcing the investigation, AMA Coalition Steering Committee members Jo Ann Bowman and Joyce Harris urged the DOJ to look at race

and poverty in its investigation. A true and correct copy of the DOJ press release dated June 8, 2011 is attached hereto as Ex. 5.

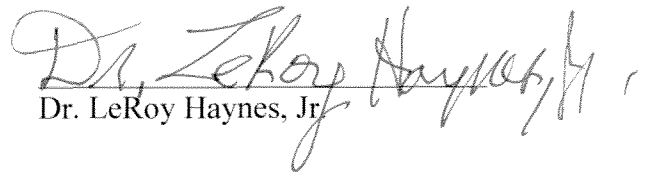
12. We gathered information, witnesses, and evidence for the DOJ, and met with DOJ staff on several occasions. For example, just one day after the DOJ announced its investigation, we provided the DOJ with information from public sources regarding PPB officer-involved shootings from the past decade, along with an analysis of that information. A true and correct copy of our letter to DOJ dated 6/8/11 and chart of shootings are attached hereto as Ex. 6 and Ex. 7. The Chart was a draft only and was given to DOJ for reference only. This analysis found that at least 30% of the 61 people shot at or killed were people of color, in a city that is almost 79% white. Of those 61 people shot or killed, 14, or 23% were African American, compared to 6.4% of the city population, and twenty-two of the 61 people, or 36%, were either unarmed (11), in a vehicle with no other weapon (seven), or armed with “weapons” such as an umbrella, a pair of scissors, an aluminum pushbar, or an Xacto knife (four).
13. In addition, we provided the DOJ our 49 Community Demands and repeatedly urged the DOJ to address disparities in use of force based on race.
14. After the releasing its Letter of Finding, dated 9/12/12, a true and correct copy attached hereto as Ex. 8, and the Statement of Intent, a true and correct copy attached hereto as Ex. 9, the DOJ invited the AMA Coalition, as well as other stakeholders, for a briefing and solicited their commentary on the content of a potential consent decree or agreement. We submitted proposals in response to that request on September 27, 2012, which identified several areas where the Statement of Intent failed to fully address the problems identified

in the DOJ's findings. A true and correct copy of the AMA Coalition's Community Proposals are attached hereto as Ex. 10.

15. On October 26, 2012, the DOJ and the City released a draft settlement agreement and announced that it would be presented to City Council just five days later, on November 1, 2012. The AMA Coalition and other community groups were not privy to the negotiations between the DOJ and the City that led to the draft agreement. Members of the AMA Coalition testified at the November 1 hearing and submitted comments.
16. Shortly after the initial City Council hearing, the AMA Coalition issued a statement entitled "Concerns about DOJ Agreement with the City of Portland" later incorporated into a statement titled "Rating the Amendments to the DOJ Agreement: Albina Ministerial Alliance Coalition for Justice and Police Reform, November 13, 2012" a true and correct copy is attached hereto as Ex. 11, and testified again at the next Council hearing on the Agreement. One of our repeated concerns was that the DOJ and the City Council for the most part ignored its comments for unexplained reasons. Despite meetings with the DOJ and the City, it is not clear whether, or to what extent, the DOJ and City considered the information and feedback provided by the AMA Coalition.

I affirm the above is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED: January 7<sup>th</sup>, 2012

  
Dr. LeRoy Haynes, Jr.